



**COUNCIL OF
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NOTE

from : General Secretariat
to : Delegations

Subject : The Albufeira Convention – an example of bilateral cooperation in the
management of shared river basins with the benefit of compliance with the WFD

Delegations will find annexed a note from the Portuguese and Spanish delegations on the above subject, which will be dealt with under "other business" at the meeting of the Council (Environment) on 3 March 2008.

The Albufeira Convention – an example of bilateral cooperation in the management of shared river basins with the benefit of compliance with the WFD

Relations between Portugal and Spain from the perspective of river basin management date back to the 19th century and the signing, in 1864, of the Treaty of Limits, which stipulates that boundary-spanning resources should be used for mutual benefit and without harm to the interests of the other party. Between 1864 and 1968, a further four international instruments were signed whose main aim was to promote the production of hydroelectric power. However, it was only from 1994 onwards that significant steps were taken to progress bilateral cooperation in the field of transboundary river basin management.

At that time, negotiations were started on the Convention on Cooperation for the Protection and Sustainable Use of Waters in Portuguese-Spanish River Basins (Albufeira Convention), which culminated in the signing of the Convention in 1998 and its entry into force in 2000. The Albufeira Convention is notable for extending the scope and reach of Portuguese-Spanish relations in matters relating to waters, not only broadening the geographical scope to include all areas within the river basins, but also introducing innovative substantive issues. During the same period, the discussion process on the Water Framework Directive (WFD), whose fundamental principles were reflected in the text of the Convention, was also begun.

Over the last three years, considerable progress has been made in the application of the Convention. The first Conference of the Parties took place in Lisbon on 27th July 2005, bolstering the work of the Commission for the Application and Development of the Convention (CADC) through the stimulation of its various working groups. The second Conference of the Parties was held on 19th February 2008 in Madrid, at which joint maps defining water masses were approved that have definitively contributed to eliminating all the discrepancies that existed. Of note was the approval of a new flow regime replacing the current annual system defined in the Additional Protocol to the Albufeira Convention, which now includes a quarterly guarantee of minimum flow rates, with weekly minimums under certain conditions.

The organisational structure established in the Albufeira Convention has been used for the application of the common provisions deriving from the Convention itself and the WFD. The aims of the Albufeira Convention are in line with the aims of the WFD, namely where they establish a framework for cooperation with a view to the protection of surface and underground waters and the aquatic and terrestrial ecosystems directly dependent on them, as well as the aims of certain cooperation measures to be adopted – achievement of healthy waters, prevention of water degradation and the controlling of contamination.

Public participation was recognised by the Directive as a key tool for improving the management of the basins. In this respect, the two instruments are also in agreement, work has already been carried out on the part of the CADC to involve the public in the difficult issue of the sustainable management of the river basins via the creation of the CADC website in December 2007. This provides detailed information relating to the management of the shared basins and the promotion of information campaigns and public debates on issues linked to their management.

As regards the work carried out by the CADC Working Group, which was set up to consider all the issues relating to the application of the WFD where it interlinks with the Convention, the following recent results should be highlighted:

- Introduction of compatible approaches to shared river regions, both for inland waters and transitional and coastal waters;
- Introduction of compatible systems of geographical information and systems for defining boundary and transboundary water masses;
- Sharing of information on typologies, assessment of the impact on boundary and transboundary water masses and programmes for monitoring boundary and transboundary water masses;
- Coordinated approaches to drawing up reports as provided for in Articles 3 and 5 of the WFD;
- Coordination of economic analysis programmes where they relate to cost-benefit analysis methodologies;

- Drawing up of the report on the evaluation of water quality in boundary and transboundary water masses;
- Presentation and approval of the maps defining the boundary and transboundary water masses for which discrepancies have been eliminated. The fact that for the first time maps defining the joint water masses have been made available constitutes a landmark.

In conclusion, the Albufeira Convention stands out for its importance as an example of successful and useful bilateral cooperation vis-a-vis the application of the Water Framework Directive, particularly as regards compliance with its aims.
